IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 12272 of 2007(J)

PETITIONER:

A.K.NANDAKUMAR,
AGED 45 YEARS, S/O.AITHA, KOLLIYIL,
THALAPPUZHA P.O., WYNAD DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J. VATHIKULAM

RESPONDENTS:

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1. THAVINHAL GRAMA PANCHAYAT,
THALAPPUZHA P.O, WYNAD, REPRESENTED BY ITS SECRETARY.

2. THE PRESIDENT,
THAVINHAL GRAMA PANCHAYAT,
THALAPPUZHA P.O., WYNAD.

3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, K.S.E.B.
THAVINHAL, THALAPPUZHA, MANANTHAVADY,
WYNAD DISTRICT.

R3 BY ADV.SRI.JOSE J. MATHIAKAL - SC FOR KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J

W.P.(C) .12272 OF 2007

Dated this the 10th day of April, 2007

JUDGMENT

The Wynad District Panchayat took a decision to electrify certain houses in the "Priyadarsini SC colony" under the Special Compound Plan. The petitioner, who belongs to a Scheduled Caste, was also selected as one of the beneficiaries for electrification by the District Panchayat. This could be seen from Ext.P4. But, when the petitioner approached the panchayat for an ownership certificate in respect of this building, which was necessary for production before the 3rd respondent so as to enable the Electricity Board to grant connection, the panchayat issued Ext.P1 order declining the request on the ground that the door number which was assigned to the petitioner's house was a provisional one and has not attained finality.

2. I find some force in the submission of Sri.Sasindran, counsel for the

petitioner, that Ext.P1 was issued by the Secretary of the Panchayat without considering Ext.P4 Government Circular.

Writ petition will, accordingly, stand disposed of, at this stage itself, directing the the Secretary of the 1st respondent to reconsider Ext.P1 in the light of Ext.P4 circular and also on the various grounds raised in the writ petition. A fresh decision, as directed above, will be taken by the Secretary of the 1st respondent panchayat at the earliest, at any rate, within three weeks of receiving a copy of this judgment. The petitioner will produce a copy of this judgment along with a copy of this writ petition and all the exhibits, particularly Ext.P4 before the Secretary of the 1st respondent.

Sd/-
PIUS C. KURIAKOSE
(JUDGE)

sk1/-

//true copy//

PIUS C. KURIAKOSE, J

W.P.(C) .12272 OF 2007

JUDGMENT

10th April, 2007